

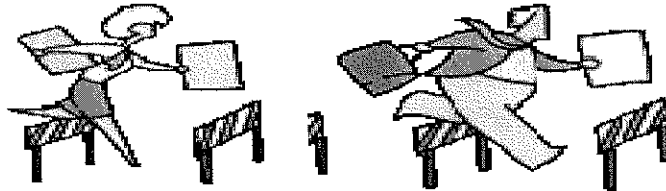


CITY OF MILPITAS

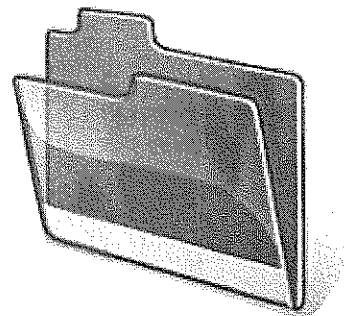
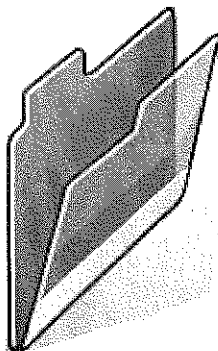
455 EAST CALAVERAS BOULEVARD, MILPITAS, CALIFORNIA 95035-5479
GENERAL INFORMATION: 408-586-3000, www.ci.milpitas.ca.gov

9/20/2016

Agenda Item No. 12



ATTACHMENT RELATED TO AGENDA ITEM AFTER AGENDA PACKET DISTRIBUTION



Mary Lavelle

From: Jyoti Prakash <jyoti.more@gmail.com>
Sent: Tuesday, September 20, 2016 3:37 PM
To: Jose Esteves; Carmen Montano; Debbie Giordano; Garry Barbadillo; Marsha Grilli; Tom Williams; Steven Machida; Mary Lavelle
Subject: SAVE OUR FUTURE - No More Business with Public Nuisance

Respected Mayor and City Leaders,

We are a family of 4 and living in Milpitas for last 10 years.
We need to make Milpitas a great place to live, play and have a healthy life.

It is ABSOLUTELY OUTRAGEOUS to know that City Council is deciding to go for a contract with Repulic Services, which is ENEMY # 1 for both Milpitas CItY and Citizens. Not only they fight us in courts and make us spend more money, but responsible for 6000+ Odor Complaints in this Urban Area. They have been also cited numerous times by Bay Area Air Quality Control.

We understand that they have deep pockets and influence, but you are paid by Citizens and under oath to work for the best of the citizens. It's a fight between DAVID Vs Goliath and we request your support to reject such contract.

Also, it was this same city council that declared Republic Service, as PUBLIC NUISANCE, We should not engage in any business with such business, which will only embolden them.

We know some council member do not have feel smell, but this decision is not about council member but Citizens.

Thanks,
Jyoti Prakash
408 416 3456

City Clerk's Office
SEP 20 2016
RECEIVED

Mary Lavelle

From: rajesh kumar <rajeshatwork1@yahoo.com>
Sent: Tuesday, September 20, 2016 3:34 PM
To: Chia-Ling Kong; Jose Esteves; Carmen Montano; Debbie Giordano; Garry Barbadillo; Marsha Grilli; Tom Williams; Steven Machida
Cc: Mary Lavelle; milpitas-odor-info
Subject: Re: [reach] PLEASE READ: Active violations at Newby Island

City Clerk's Office

SEP 20 2016

Health lost is every Thing Lost

RECEIVED

Very well said Ling and harsh-

1000s of residents of Milpitas who are in this email group are deeply concerned, troubled and pained about the pathetic mess the Newby Landfill- RS is creating in the centre on Milpitas for years.

- In a civilization Dumps are never in the backyard, then why support supports Newby landfill RS rather closing and moving to different location.
- How long do you want us and our kids to suffer from this dirty ordure day in and day out.
- Shock to see a few council members still supporting RS
- We have elected the leaders to give us a better air, water and living not these dirty dumps.
- Please help in Making Milpitas a healthy, livable, and respectable city to live for our Kids and near and dears.

Please Stop supporting Newby Landfill (RS) and join 1000s of residents in closing the dump.

Thanks and Regards,

On Tuesday, September 20, 2016 1:00 PM, Chia-Ling Kong <chialingkong@gmail.com> wrote:

Honorable Milpitas City Council Members and Staff

Our residents groups are extremely concerned that the city has issued its recommendation to award the 10-year garbage collections contract to Republic Services, despite recurring odor emanating from Newby Island's composting and recycling operations that fall within the context of this collections contract.

Please read email below from BAAQMD, which has affirmed that there are still 20 active and open Notices of Violation (NOVs) at Newby Island.

I'd attached the list of violations from BAAQMD's public records for your reference:

- Regulation #1-301 is public nuisance violation
- Highlighted violations at the recyclery are strong evidence that Milpitas residents will be greatly impacted by your collections contract decision tonight

It is a sign of hypocrisy if Milpitas City approves a new contract for Republic Services which you had previously declared to be a public nuisance. At the same time, your legal counsels have asked City of San Jose to deny Newby Island landfill expansion permit by calling out a municipal code that forbids permitting of any project that is a public nuisance.

I strongly urge you to not grant the collections contract to Republic Services as long as it remains a public nuisance.

It is clear that Milpitas has alternate vendor that do not create harm on our city and residents. Afterall, the cost difference of \$5/month is relatively small (2 cups of coffee).

Kindly consider your obligation to protect public welfare at all cost.

Regards
Chia Ling Kong
Milpitas REACH
www.milpitas-odor.info

Mary Lavelle

From: Anthony Yee <hugel99@gmail.com>
Sent: Tuesday, September 20, 2016 3:53 PM
To: Jose Esteves; Carmen Montano; Debbie Giordano; Garry Barbadillo; Marsha Grilli; Tom Williams; Steven Machida; Mary Lavelle
Subject: Your vote on Garbage Collection Contract tonight
Attachments: BAAQMD Violations Newby Island.pdf

Respected Mayor, Manager, Council Members and Staff

It's extremely painful and frustrating to learn that the city has issued its recommendation to award the 10-year garbage collections contract to Republic Services, despite recurring odor emanating from Newby Island's composting and recycling operations that fall within the context of this collections contract.

I'd attached the list of violations from BAAQMD's public records for your reference:

Regulation #1-301 is public nuisance violation
Highlighted violations at the recyclery are strong evidence that Milpitas residents will be greatly impacted by your collections contract decision tonight

It is a sign of hypocrisy if Milpitas City approves a new contract for Republic Services which you had previously declared to be a public nuisance. At the same time, your legal counsels have asked City of San Jose to deny Newby Island landfill expansion permit by calling out a municipal code that forbids permitting of any project that is a public nuisance.

I strongly urge you to not grant the collections contract to Republic Services. It is clear that Milpitas has alternate vendor that do not create harm on our city and residents. After all, the cost difference of \$5/month is relatively small (2 cups of coffee).

Please Please feel for us. We are living in hell. All we ask is for you to do the right thing, the thing you were elected to do, putting people's happiness and health above campaign contributions. Kindly consider your obligation to protect public welfare at all cost. This is an opportunity for you to show the public that you care for them and not for campaign contributions from Republic. Lives of thousands of men, women and children are in your hands. Please do the right thing and not award any contract or business to Republic.

Sincerely,
Anthony Yee
Concerned Milpitas Resident

City Clerk's Office

SEP 20 2016

RECEIVED

Mary Lavelle

From: Harsh Shah <harshpshah30@gmail.com>
Sent: Tuesday, September 20, 2016 1:16 PM
To: Jose Esteves; Carmen Montano; Debbie Giordano; Garry Barbadillo; Marsha Grilli; Tom Williams; Steven Machida; Mary Lavelle; Samra, Christine; Hasan, Amal; Quintana, Ryan; Brooks, Brian; Konczal, Michael; Dinsmore, Brian N; pkirwan@scscourt.org; Pam Caronongan; Norman Kline; shilohb@hotmail.com; ed.abelite1@gmail.com; mayoremail@sanjoseca.gov; District10 San Jose; District1@sanjoseca.gov; District2@sanjoseca.gov; District3@sanjoseca.gov; District4@sanjoseca.gov; District5@sanjoseca.gov; District6@sanjoseca.gov; District7@sanjoseca.gov; District8@sanjoseca.gov; District9@sanjoseca.gov; paul.tavares@sanjoseca.gov; kerrie.romanow@sanjoseca.gov; wkino@baaqmd.gov; Secretary@resources.ca.gov; Vpal@waterboards.ca.gov; Tseward@waterboards.ca.gov; Kroberson@waterboards.ca.gov; Anaugle@waterboards.ca.gov; Delias@waterboards.ca.gov; Karina.dominguez@asm.ca.gov; Peter.piper@sen.ca.gov; rocky.fernandez@sen.ca.gov; graciela.castillo-krings@gov.ca.gov; President@whitehouse.gov; americasnewsroom@foxnews.com; bullsandbears@foxnews.com; cash@foxnews.com; cavuto@foxnews.com; Gary Richards; forbes@foxnews.com; friends@foxnews.com; fncspecials@foxnews.com; fns@foxnews.com; happeningnow@foxnews.com; huckmail@foxnews.com; ontherecord@foxnews.com; redeye@foxnews.com; oreilly@foxnews.com; warstories@foxnews.com; @KPIX News Assign. Editors; newswatch@foxnews.com; Dan; bmercerc@cbs.com; Bruno; Jeff; KPIX-TV TV Programming; Akilah; Chris R; bharrison@fremont.gov; lmei@fremont.gov; schan@fremont.gov; vbacon@fremont.gov; rljones@fremont.gov; Board Operations; AssessmentAppeals@cob.sccgov.org; Bnc@cob.sccgov.org; Form700@cob.sccgov.org; RecordsUnit@cob.sccgov.org; Aliyah Mohammed
Cc: Harsh Shah
Attachments: BAAQMD Violations Newby Island.pdf

City Clerk's Office

SEP 20 2016

RECEIVED

Respected Mayor, Manager, Council Members and Staff

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Sincerely,
Harsh Shah
Concerned Milpitas Resident

NOV #	Issue Date	Site #	Site Name	Address	City	Zip	Regulation	Comments from Enforcement
A52021A	1/6/2015	A9013	International Disposal Corp of CA	1601 W Dixon Landing Rd	Milpitas	95035	1-301	4 confirmed complaints on 12/23/2014
A52022A	1/6/2015	A9013	International Disposal Corp of CA	1601 W Dixon Landing Rd	Milpitas	95035	1-301	5 confirmed complaints on 12/27/2014
A52023A	1/20/2015	A5472	BFI Newby Island Recycler	1601 Dixon Landing Rd	Milpitas	95035	1-301	5 rotting garbage odor complaints confirmed on 1/8/2015
A52024A	1/20/2015	A5472	BFI Newby Island Recycler	1601 Dixon Landing Rd	Milpitas	95035	1-301	5 rotting garbage odor complaints confirmed on 1/9/2015
A52025A	1/20/2015	A9013	International Disposal Corp of CA	1601 W Dixon Landing Rd	Milpitas	95035	1-301	5 garbage odor complaints confirmed on 1/17/2015
A52026A	1/29/2015	A5472	BFI Newby Island Recycler	1601 Dixon Landing Rd	Milpitas	95035	2-1-301	No A/C & P/O for MRF building & diesel engines
A52026B	1/29/2015	A5472	BFI Newby Island Recycler	1601 Dixon Landing Rd	Milpitas	95035	2-1-302	No A/C & P/O for MRF building & diesel engines
A53960A	2/10/2015	A9013	International Disposal Corp of CA	1601 W Dixon Landing Rd	Milpitas	95035	8-34-301.2	Well #EW228 >2000 ppm and positive pressure
A53960B	2/10/2015	A9013	International Disposal Corp of CA	1601 W Dixon Landing Rd	Milpitas	95035	8-34-305	8-34-305.1 Well #EW228 >2000 ppm and positive pressure
A53961A	2/10/2015	A9013	International Disposal Corp of CA	1601 W Dixon Landing Rd	Milpitas	95035	8-34-303	Three surface leaks >500 ppm
A53914A	10/19/15	A9013	International Disposal Corp of CA	1601 W Dixon Landing Rd	Milpitas	95035	8-34-303	multiple surface leaks > 500 ppm
A54233A	10/23/15	A5472	BFI Newby Island Recycler	1601 W Dixon Landing Rd	Milpitas	95035	1-301	Rotten garbage odor complaints confirmed off-site
A53968A	10/23/15	A9013	International Disposal Corp of CA	1601 W Dixon Landing Rd	Milpitas	95035	1-301	Landfill gas odors observed off-site
A53990A	12/7/15	A5472	BFI Newby Island Recycler	1601 W Dixon Landing Rd	Milpitas	95035	1-301	garbage odor complaints confirmed
A54138A	12/9/15	A9013	International Disposal Corp of CA	1601 W Dixon Landing Rd	Milpitas	95035	2-1-301	No A/C & P/O for stockpiles
A54138B	12/9/15	A9013	International Disposal Corp of CA	1601 W Dixon Landing Rd	Milpitas	95035	2-1-302	No A/C & P/O for stockpiles
A54234A	2/26/2016	A9013	International Disposal Corp of CA	1601 W Dixon Landing Rd	Milpitas	95035	8-34-303	surface leaks exceeding 500ppm std
A54234B	2/26/2016	A9013	International Disposal Corp of CA	1601 W Dixon Landing Rd	Milpitas	95035	CCR	surface leaks exceeding 500ppm std
A54235A	2/26/2016	A9013	International Disposal Corp of CA	1601 W Dixon Landing Rd	Milpitas	95035	8-34-305.1	6 wellheads not under negative pressure
A54235B	2/26/2016	A9013	International Disposal Corp of CA	1601 W Dixon Landing Rd	Milpitas	95035	CCR	6 wellheads not under negative pressure
A56305A	3/3/16	A5472	BFI Newby Island Recycler	1601 W Dixon Landing Rd	Milpitas	95035	1-301	garbage/compost odor complaints confirmed
A52063A	3/7/16	A5472	BFI Newby Island Recycler	1601 W Dixon Landing Rd	Milpitas	95035	1-301	five confirmed odor complaints